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**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

IN RE CHINA SUNERGY SECURITIES
LITIGATION

This Document Relates To: All Actions

**CIVIL ACTION NO. 07-civ-7895
(DAB)**

**MOTION FOR
PRELIMINARY APPROVAL
OF SETTLEMENT;
DIRECTING NOTICE OF
PENDENCY AND
SETTLEMENT OF CLASS
ACTION; AND SETTING
HEARING DATE FOR FINAL
APPROVAL OF
SETTLEMENT AND FOR
CERTIFICATION OF
SETTLEMENT CLASS**

PLEASE TAKE NOTICE that upon the accompanying memorandum of law, the Stipulation and Agreement of Settlement, and all prior pleadings and proceedings herein, Lead Plaintiff the Tonyaz Group moves this Court, before the Honorable Deborah A. Batts, United States District Judge, at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl St., Courtroom 24B, New York, NY 10007-1312, at a date and time to be determined, for an order preliminarily approving the proposed Settlement of this proposed class action and certifying a class for purposes of the Settlement, pursuant to Rules 23(a), (b)(3), and (e) of the Federal Rules of Civil Procedure. A proposed Preliminary Approval Order, together with annexed exhibits, is attached to the Stipulation of Settlement.

Dated: October 16, 2009

KAHN SWICK & FOTI, LLC

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